

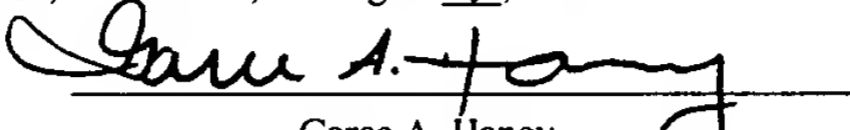


PATENT
Docket No. 300622002021

#7/1/02
08-27-02

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 7, 2002.


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In the application of:

Bryan JULIEN

Serial No.: 09/942,025

Filing Date: August 28, 2001

For: POLYKETIDE SYNTHASE GENE
FROM SORANGIUM CELLULOSUM

Examiner: To Be Assigned

Group Art Unit: 1652

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents Nos. 9, 10 and 18 are included herewith. Copies of all other documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Numbers 09/010,809, filed January 22, 1998, now United States Patent Number 6,090,601, and 09/144,085, filed August 31, 1998, now United States Patent Number 6,280,999, and, accordingly, copies are not included herewith. This protocol conforms

with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This application is a Continuation-In-Part of United States Serial Number 09/144,085, filed August 31, 1998, now United States Patent Number 6,280,999, which is a Continuation-In-Part of United States Serial Number 09/010,809, filed January 22, 1998, now United States Patent Number 6,090,601, and claims the benefit of the filing date of United States Provisional Application Number 60/271,245, filed February 15, 2001.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of * is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.


Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622002021. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 7, 2002

Respectfully submitted,

By: 
Susan B. Lynch
Registration No. P-51,979

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Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 300622002021	Application Number 09/942,025
	Applicant Brian JULIEN	
	Filing Date August 28, 2001	Group Art Unit 1652
	Mailing Date August <u>7</u> , 2002	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	11/1985	4,551,433	DeBoer	435	253	
	2.	10/1989	4,874,748	Katz, et al.	514	29	RECEIVED AUG 14 2002
	3.	11/1991	5,063,155	Cox, et al.	435	76	
	4.	03/1992	5,098,837	Beckmann, et al.	435	172.3	
	5.	05/1992	5,116,756	Dumont, et al.	435		TECH CENTER 1600/2900
	6.	09/1992	5,149,639	Katz, et al.	435	76	
	7.	09/1997	5,672,491	Khosla, et al.	435		
	8.	01/1998	5,712,146	Khosla, et al.	435		
	9.	07/2000	6,090,601	Gustafsson et al.	435	183	
	10.	08/2001	6,280,999	Gustafsson et al.	435	252.3	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	11.	08/1997	EP 0 791 655	Europe				
	12.	07/1993	WO 93/13663	PCT				N/A
	13.	03/1995	WO 95/08548	PCT				N/A
	14.	12/1996	WO 96/40968	PCT				N/A
	15.	01/1997	WO 97/02358	PCT				N/A
	16.	06/1997	WO 97/22711	PCT				
	17.	06/1998	WO 98/27203	PCT				
	18.	04/2000	WO 00/22139	PCT				N/A

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	19.	Aigle et al., <u>Microbiology</u> 142:2815-2824 (1996)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 300622002021	Application Number 09/942,025
	Applicant Brian JULIEN	
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OTHER DOCUMENTS *(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	20.	Bollag <i>et al.</i> , <u>Cancer Research</u> 55:2325-2333 (1995)
	21.	Caffrey <i>et al.</i> , <u>FEBS Letters</u> 304:205 (1992)
	22.	Cortes <i>et al.</i> , <u>Nature</u> 348:176-178 (1990)
	23.	Dalbie-McFarland <i>et al.</i> , <u>Proc. Natl. Acad. Sci. USA</u> 79:6409-6413 (1982)
	24.	Fu <i>et al.</i> , <u>Biochemistry</u> 33:9321-9326 (1994)
	25.	Geisselsoder <i>et al.</i> , <u>BioTechniques</u> 5:786-791 (1987)
	26.	Gerth <i>et al.</i> , <u>Journal of Antibiotics</u> 49:560-563 (1996)
	27.	Jay <i>et al.</i> , <u>J. Bio. Chem.</u> 259:6311-6317 (1984)
	28.	Kunkel, <u>Proc. Natl. Acad. Sci. USA</u> 82:488-492 (1985)
	29.	McDaniel <i>et al.</i> , <u>Science</u> 262:1546-1550 (1993)
	30.	Motamedi <i>et al.</i> , "Structural organization of a multifunctional polyketide synthase involved in the biosynthesis of the macrolide immunosuppressant FK506", <u>Eur. J. Biochem.</u> , 244, pp.74-80.
	31.	Rohr, <u>Angew. Chem. Int. Ed. Engl.</u> 34(8):881-888 (1995)
	32.	Schupp <i>et al.</i> , <u>Journal of Bacteriology</u> 177:3673-3679
	33.	Schwecke <i>et al.</i> , "The biosynthetic gene cluster for the polyketide immunosuppressant rapamycin", <u>Proc. Nat'l Acad. Sci. USA</u> 92 (Aug. 1995), pp. 7839-7843.
	34.	Scottie <i>et al.</i> , <u>Gene</u> 130:65-71 (1993)
	35.	Zoller <i>et al.</i> , <u>Methods in Enzymology</u> 100(32):468-501 (1983)

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